

REMARKS

Claim 1 is pending in this application. By this Amendment, claim 1 is amended. No new matter is added. Claims 2-9 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, on page 2, rejects claims 1-9 under 35 U.S.C. §101 asserting that the claimed invention is directed to non-statutory subject matter because there is positive recitation of portions of the body. This rejection is respectfully traversed.

Applicants respectfully submit that reciting an intraocular lens which is placed between an iris and a crystalline lens does not represent a positive recitation of a claim feature including a portion of the body but rather describes an environment within which the positively recited claim features are used. Applicants, however, voluntarily amend claim 1, as suggested by the Office Action, to obviate the rejection of claim 1 under 35 U.S.C. §101.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §101 as allegedly reciting non-statutory subject matter are respectfully requested.

The Office Action, on page 2, rejects claims 1-3, 6, 7 and 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,994,080 to Shepard. This rejection is respectfully traversed.

Claim 1 is amended to include the features previously positively recited in claims 2, 4 and 5. Because claims 4 and 5 were not rejected under 35 U.S.C. §102 as being anticipated by Shepard, claim 1, as amended, is distinguishable over Shepard.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by Shepard, are respectfully requested.

The Office Action, on page 3, rejects claims 1, 2, 4, 5, 7 and 8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,913,898 to Feingold. This rejection is respectfully traversed.

Feingold teaches an intraocular contact lens for implantation into the eye. The Office Action alleges that Feingold teaches all of the features recited in claims 1, 2, 4 and 5.

Claim 1, as amended, recites, among other features, an optical part which has a meniscus shape of which a back surface is larger in curvature than a front surface of the crystalline lens. With reference to Figs. 25 and 26 of Feingold, described as illustrating the manner in which an intraocular contact lens 100 according to the present invention is located in the eye, it is clear that the shape of the back surface of the lens disclosed in Feingold is intended to conform to the curvature of the front surface of the crystalline lens. An advantage to the configuration recited in claim 1, as discussed at least in the paragraph beginning on page 4, line 16, is to prevent the center and vicinity of the back surface of the optical part from coming into contact with the center and its vicinity of the front surface of the crystalline lens. With this configuration, in combination with the positively recited fine pore formed through the optical part and the groove formed in a back surface of at least one of the optical part and a support part, aqueous humor is allowed to flow to a clearance between the optical part and the crystalline lens through the groove, and then flow to the anterior chamber through the fine pore.

For at least the above reason, Feingold cannot reasonably be considered to teach, or to have suggested, the combination of all of the features positively recited in claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by Feingold are respectfully requested.

The Office Action, on page 3, rejects claims 1-3 and 7 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,280,471 B1 to Peyman et al. (hereinafter "Peyman"). This rejection is respectfully traversed.

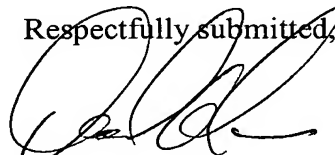
Claim 1 is amended to include the features previously positively recited in claims 2, 4 and 5. Because claims 4 and 5 were not rejected under 35 U.S.C. §102 as being anticipated by Peyman, claim 1, as amended, is distinguishable over Peyman.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by Peyman are respectfully requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim 1 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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JAO:DAT/axl

Attachment:
Petition for Extension of Time

Date: March 31, 2006

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